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Remarks

The paragraphs of the Office action are responded to through the corresponding numbered paragraphs below. The applicant has addressed each issue in turn and, for clarity, has provided a heading for each issue.

*Specification*

1. The Examiner indicated that the "specification has not been checked to the extent necessary to determine the presence of all possible minor errors." The applicant is not currently aware of errors in the specification and therefore believes that no specific response to this paragraph is required at this time.

*Claim Rejections - 35 USC § 103*

2. The Examiner provided the citation to 35 U.S.C. 103(a) "which forms the basis for all obviousness rejections set forth in this Office action." The applicant appreciates the reference and believes that no specific response is required for this paragraph.

3. The Examiner rejected claims 1-38 "under 35 U.S.C 103(a) as being unpatentable over Benson et al." The rejection is respectfully traversed.

In the Office Action the Examiner stated that it would have been obvious for one of ordinary skill in the art to modify the apparatus of Benson by incorporating multiple carriages in order to provide a wider area under monitoring to the remote operator. The Examiner based his obviousness argument on the proposition that "[t]he courts have long held that duplication of additional elements is obvious if only to produce a multiplied effect". However, the present invention does not merely duplicate elements and does not only produce a multiplied effect. Mere duplication of the carriages of Benson would result in a non-workable surveillance system, where the carriages would collide and seamless monitoring of a region where camera control is passed from one camera to another would not be possible. The present claims define two or more carriages movable on a single track. Sharing the same space on the same track required non-obvious improvements over the disclosure of Benson, including the development of a collision avoidance system. The present invention does not merely multiply the effect of a single camera, but enables camera control to be passed between cameras to provide seamless scanning of a region.

To clarify the distinctions of the present claims over Benson, claim 1 has been amended to include the limitation of original claim 10 of "control means including means for avoiding collisions between said carriages." The Examiner had rejected claim 10 by stating that Benson disclosed such control means at column 6, lines 1-17.

However, those lines of Benson refer only to a third control signal that is added to vary the speed of a carriage. No mention is made in those lines of avoiding collisions between a carriage and another object—and clearly no mention is made of avoiding collisions between carriages, as multiple carriages are not even suggested in Benson. “To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art.” MPEP Section 2143.03; *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). In this case, all of the claim limitations are not taught or suggested by the prior art.

Similarly, many of the present dependent claims concerning collision avoidance were rejected based on specific teachings of specific lines of Benson, which teachings upon close inspection simply do not exist. For example, claims 18–21 concerning collision avoidance using an interface translator were rejected based on Benson at column 5, lines 30–50. However, those lines of Benson disclose the use of end sensors that are positioned in a fixed location at the end of a track section and that indicate that a carriage should change directions. Such fixed position sensors would not work in a dynamic situation to avoid collisions between multiple moving carriages, as enabled by the interface translators of the present invention. Further, such fixed position sensors do not enable the identification of an object such as a nearby carriage. Such identification can be important according to embodiments of the present invention for example when transferring control information from one carriage to an adjacent carriage.

Independent method claim 34 has also been amended to include a specific limitation concerning controlling movement to avoid collisions between carriages. Finally, new claim 39 has been added, which claim includes the limitations of amended claim 1, but which is rewritten without the use of means plus function language.

Accordingly, the applicant believes that the claim 1–38, as currently presented, are neither described nor suggested by the reference when considered in their entirety.

#### *Conclusion*

4. The Examiner indicated that “prior art made of record and not relied upon is considered pertinent to applicant’s disclosure.” The applicant appreciates the Examiner’s search and respectfully requests inclusion of these references in the list of cited references.

5. The Examiner has provided information concerning communication and/or inquiries concerning this case. Applicant appreciates the Examiner’s willingness to communicate and assist on this case and believes no response to this paragraph is necessary.

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Amdt Date: 07/14/2005

AMENDMENT AND RESPONSE  
TO NON-FINAL OFFICE ACTION

Exr: Anand S. Rao  
Group Art Unit: 2613  
Confirm. No.: 5549

The applicant has requested that claim 10 be canceled, that claims 1, 11, 34, 37 and 38 be amended as described and that claim 39 be added. Applicant believes that all issues and points of the Examiner's Office action have been addressed. Applicant believes that claims 1-39 are patentable over all known prior art. Applicant respectfully requests reconsideration and allowance of this application.

Respectfully submitted this 14th day of July, 2005.



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